AMERICA WORKS BEST WHEN ALL AMERICANS WORK

People with Disabilities

Ernestine (Erni) Moya, Director,
Program for Individuals with Disabilities
Equal Employment Opportunity & Civil Rights
Department of the Army

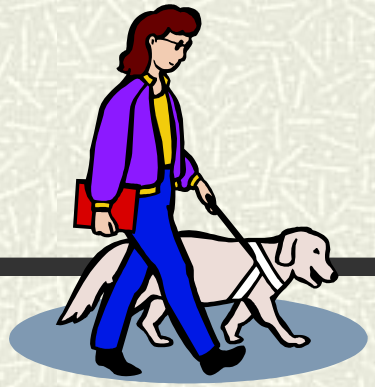
OBJECTIVE

- To provide information regarding hiring, advancement,
  and placement of individuals with disabilities within DOD

- To provide an opportunity to share information, knowledge
  and experience

- ✓ **LEGAL/REGULATORY BASIS**
- ✓ **DISABILITY DEFINITION**
- ✓ **REASONABLE ACCOMMODATION**
- ✓ **EMERGENCY PREPAREDNESS PLANS**

INTRODUCTION



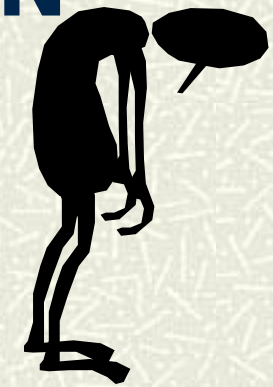
BLIND – SIGHT-IMPAIRED

(The Miracle Worker – Helen Keller)

DEAF – HEARING IMPAIRED

BI-POLAR – MANIC DEPRESSION

(A Beautiful Mind – John Nash)



PARAPLEGIC

(Born on the Fourth of July – Ron K

ARMY VISION

To include IWD in all phases of Army life, including but not limited to Programs and Activities Through

Facilities Accessibility

Reasonable Accommodation

Department of the Army Policy states that the Army will ensure:

- A civilian workforce in which IWD, including disabled veterans, are represented in every major organizational element, occupational category and grade level.
- Equal opportunity in hiring, advancement, training and treatment
- Provide reasonable accommodation
- Individuals with disabilities are accorded access to programs and activities that are conducted by DA and financed with funds disbursed by DA.

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

2003 ~ AMERICA WORKS BEST WHEN ALL AMERICANS WORK

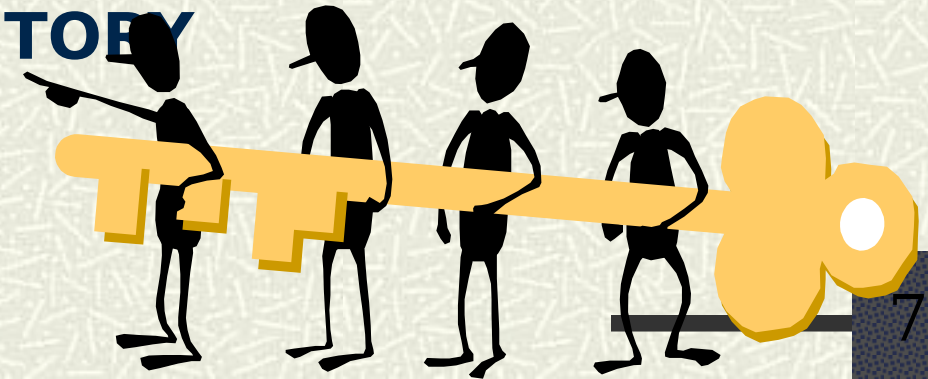
2004 ~ YOU'RE HIRED!

SUCCESS KNOWS NO LIMITATIONS

PROFILE OF OPPORTUNITY

INDIVIDUALS WITH DISABILITIES WILL BE AN INCREASING SOURCE OF LABOR THRU THE INCREASED USE OF TECHNOLOGY

DISABILITY ACCOMMODATION WILL BE OF GREATER INTEREST THAN EVER BEFORE IN OUR HISTORY



"STRATEGIC RECRUITMENT FOR GOVERNMENT"

THE PERFORMANCE INSTITUTE, FEBRUARY 2003

- **By 2004, more than 900,000 employees or more than 50% of the federal workforce, eligible for regular and early retirements -- 70% by 2010**

- **Massive retirements of Baby Boomer government managers**

EXECUTIVE ORDER 13163
26 JUL 2000

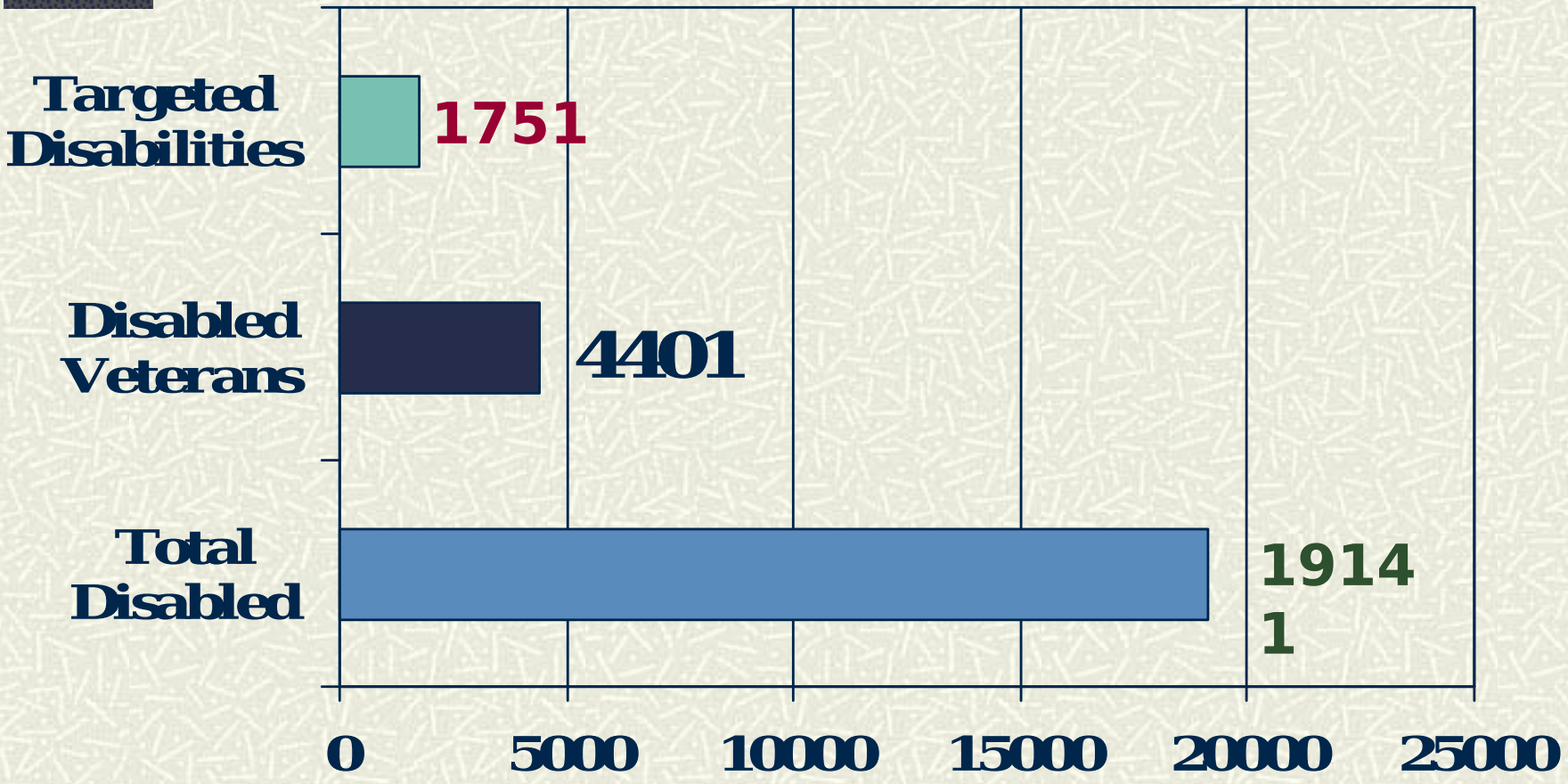
- **FEDERAL AGENCIES TO HIRE 100,000 INDIVIDUALS WITH DISABILITIES 5 YEARS**

- **ARMY'S NEW HIRE GOAL: 11,2**

- **TWO PERCENT OF 11,220 TARGETED DISABILITIES**

50 MILLION + AMERICANS WITH DISABILITIES

Army Disability Profile March 2004



WORKFORCE RECRUITMENT PROGRAM FOR COLLEGE STUDENTS WITH DISABILITIES

- JOINT VENTURE BETWEEN DoD AND DOL WHICH
  IDENTIFIES COLLEGE AND UNIVERSITY STUDENTS
  WITH DISBILITIES SEEKING SUMMER AND PERMANENT JOBS.

- SUMMER HIRE PROGRAM 15 MAY - 30 SEP 03

- SALARY AND SPACES PROVIDED FOR SUMMER EMPLOYMENT OPPORTUNITY FOR COLLEGE STUDENTS.

- GREAT SUCCESS STORIES!

Army Families Online by WBLO - Microsoft Internet Explorer

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Address http://www.wblo.org/data/modules/pbm/rendered/ds_photo_gallery.asp

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Army Families Online

Army Families Online provided by WBLO

Provided by: Well-Being Liaison Office (WBLO)

Army Information Line 1-800-833-6622

- My WBLO
- Home
- Registration
- Login
- Search
- FeedBack
- WBLO Information
- Army Veterans
- Deployment Cycle
- Disabled Soldier Support System (DS3)
- Download Center
- FLO Notes
- Frontline Stories
- Glossary
- News
- SmartBook

Page Tools

Homeland Security Advisory System

ELEVATED Significant Risk of Terrorist Attacks

Disabled Soldier Support System

U.S.ARMY

Contact the Disabled Soldier Support System (DS3) at 1-800-833-6622 between 8 a.m. to 4:30 p.m. EST, Monday through Friday.

www.ArmyDS3.org

DS3 Photo Gallery

http://www.wblo.org/home.asp

Internet

Start IWD... Disa... Disa... IWD... Draf... Wor... Micr... HO... Arm... 3:31 PM

DISABLED SOLDIERS SUPPORT SYSTEM (DS3)

- **The Department of the Army Individuals with Disabilities Program objective is to increase employment opportunities for individuals with disabilities, to include disabled veterans, in the Army.**

- **Appointment authority for hiring of IWD/disabled veterans (www.opm.gov/disability/)**

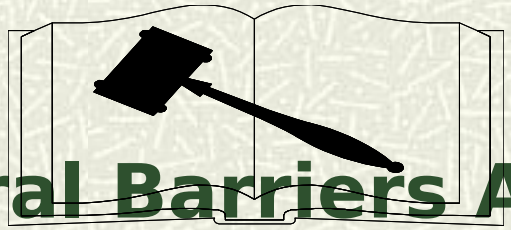
- **Workforce Recruitment Program for College Students with Disabilities**

LEGAL/REGULATORY BASIS

AMERICANS WITH DISABILITIES ACT – 1990

REHABILITATION ACT – 1973

- SEC 501 – Federal Employment – Affirmative Action
- SEC 502 – Architectural Access – buildings/facilities
- SEC 503 – Federal Contractors
- SEC 504 – Federally funded Programs – non-empl



- Architectural Barriers Act - 1968

Section 504
Federally Funded (Non-Employment) Programs/Activities

In 1978, Congress extended application of Rehabilitation Act of 1973, as amended (29 U.S.C. 794) (Section 504), which prohibits discrimination on the basis of handicap in federally assisted programs and activities, to programs and activities conducted by Federal Executive agencies.

Section 504
Complaints Issues

US ARMY CORPS OF ENGINEERS

PUBLIC PARKS

RECREATIONAL FACILITIES (Lakes, Beaches, Historical Sites, Museums)

MILITARY - CIVILIAN FAMILY MEMBER HEALTH FACILITIES/SVCS (Hospitals, Medical Clinics, Gyms, Pools)

FAMILY HOUSING (ACCESSIBILITY)

DAY CARE CENTERS / SCHOOLS (EFMP)

POST SERVICE FACILITIES

Education Centers, Golf Course/Theaters/AAFES

OPEN HOUSES, MEMORIAL SERVICES

SERVICE ANIMALS

Section 504
SERVICE ANIMALS

- **GUIDE DOGS ~ blind and visually impai**
- **HEARING DOGS ~ deaf and hard of hearing**
- **SERVICE DOGS ~ seizures, emotional disa**

Disabled individuals with Assistance Dogs are guaranteed legal access to all places of public accommodation, modes

of public transportation, recreation and other places to

Section 508
REHABILITATION ACT OF 1973

- 508 applies to electronic and information technology accessibility to employees and members of the public
  - In 1998 amendment to the Act significantly expanded and strengthen the technology access requirements in Section 508...
- Enforced under regulations established under Federal Acquisition Regulations
  - Complaints re-dress process is same as that established under Section 504
  - GSA and the Access Board provide technical assistance on requirements

Section 508
REHABILITATION ACT OF 1973

- **Closed Caption**
  Training Videos
  Televisions in your activities as service to all

- **Web Pages -- accessible**

- **TTY (admin service areas, ACS, Lending closet, EFMP**

RESOLVE ISSUES AT LOWEST POSSIBLE LEVEL

- Communication
- Mediation
- Keep informed
- Keep abreast of current, latest events, policies
- Network with one another for expertise
- Share resources
- Learn from past experiences
- Keep learning

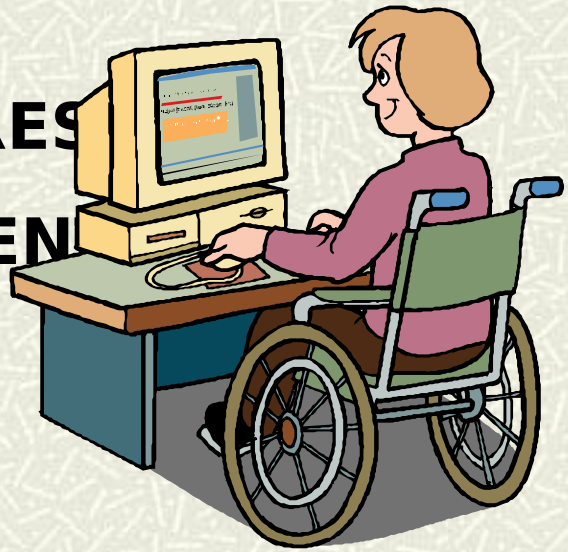
KEY TEAM PLAYERS (Disability Program)

- **Managers/Supervisors**
- **EEO Officer / SEP Program Managers**
- IWD Comm Members / EEO Counselors / EO Prog Managers
- Community Svcs Dirs / Exceptional Fam Member Prog Mgr
- **Legal Advisors / Facilities Engineers / Managers**
- **Representative from Community Disability Organizations**
- **Disabled/Disabled Veteran Employees**

AMERICANS WITH DISABILITIES ACT
ADA says …

NO COVERED ENTITY SHALL DISCRIMINATE AGAINST A QUALIFIED INDIVIDUAL WITH A DISABILITY BECAUSE OF THE DISABILITY IN

- **JOB APPLICATION PROCEDURES**
- **THE HIRING -- ADVANCEMENT**
- **DISCHARGE OF EMPLOYEES**
- **EMPLOYEE COMPENSATION**
- **JOB TRAINING**



Section 501
FEDERAL EMPLOYMENT AFFIRMATIVE ACTION

- Sec 501 mandates non-discrimination by Federal agencies in its hiring practices and requires affirmative action in the hiring, placement and advancement of qualified IWD

- Requires Federal employers to "reasonably accommodate" IWD when it does not impose undue hardship on the employer

- Enforced under regulations issued by the Equal Employment Opportunity Commission (EEOC)

IMPACT OF COURT DECISIONS ON THE LAW…

PERSON WITH A DISABILITY

- **Has a physical or mental impairment that *substantially limits one or more major life activity*.**
- **Has a *record* of such an impairment.**
- **Is *regarded* as having such an impairment**

MAJOR LIFE ACTIVITIES

- Caring for one's self
- Walking
- Hearing
- Breathing
- Performing manual task
- Working
- Seeing
- Speaking
- Learning

TARGETED DISABILITIES

Disabilities targeted by EEOC* for emphasis in AAPP The disabilities and codes on SF 256 are

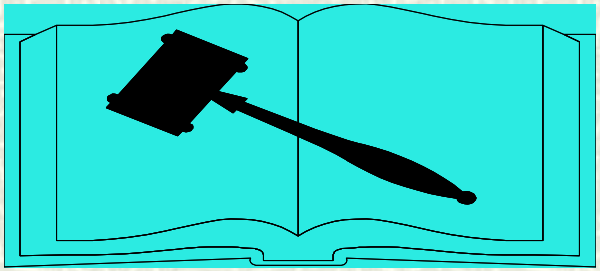
Deafness	**16 & 17**
Blindness	**23 & 25**
Missing Extremities	**28 &32 - 38**
Partial Paralysis	**64 thru 78**
Complete Paralysis	**71 thru 78**
Convulsive Disorders	**82**
Mental Retardation	**90**
Mental Illness	**91**
Distortion of Limbs/Spine	**92**

***EEOC MD 715**

REASONABLE ACCOMMODATION

An agency shall make a reasonable accommodation to known physical or mental limitations of an applicant or employee who is qualified individual with disabilities ….”

29 CFR Part 1614.203© (1)
Federal Sector Equal Employment Opportunity Equal Employment Opportunity Commission



REASONABLE ACCOMMODATION MAY INCLUDE, BUT NOT LIMITED TO:

- Making facilities readily accessible
- Modifying worksites
- Adjusting Work Schedules
- Providing Assistive Devices (CAP)
- Providing personal assistants (travel)
- Adopting flexible leave policies

REASONABLE ACCOMMODATION
Identify Employee's Workplace Accommodation

- **Involving individual in every step of process**
- **Employing confidentiality principles**
- **Consult with rehabilitation professionals (CAP/JAN)**
- **Essential functions of position**
- **Identify employee's functional limitat and potential accommodations**

ACCOMMODATION MOST APPROPRIATE FOR EMPLOYEE AND EMPLOYER

- **Costs should not be an undue hardship**

- **Accommodations selected:**
  Effective, reliable, easy to use
  readily available

- **Ask employee.**

- **The individual knows what accommodation works best to be able to satisfactorily perform the duties of assigned**

THE JOB ACCOMMODATION PROCESS

STEP 1 – DEFINE THE SITUATION

STEP 2 – PERFORM NEEDS ASSESSMENT

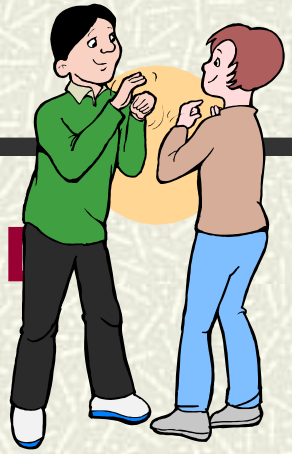
STEP 3 – EXPLORE ALTERNATIVE PLACEMENT OPTIONS

STEP 4 –REDEFINE THE SITUATION

STEP 5 – MONITOR THE ACCOMMODATIONS

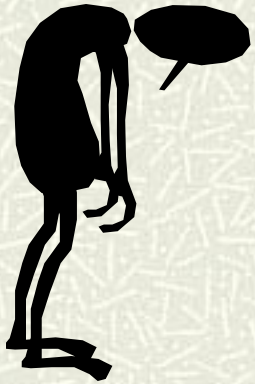
http://www.jan.wvu.edu/media/JobAccommodationsProcess.html

JOB ACCOMMODATION ACTIONS



- DEAF OR HEARING IMPAIRED
- BLIND OR SIGHT-IMPAIRED
- USER OF WHEELCHAIR

- STRESS-RELATED CONDITION



- DEPRESSION

Why Consider ERGONOMICS ???

MANDATE TO ACCOMMODATE EMPLOYEES WITH DISABILITIES

- Relationship between the worker and the job
- Focus on design of work area & job to enhance job perf
- Helps prevent injuries and limit secondary injuries
- Soaring workers compensation costs

Ergonomics is the field of study that seeks to fit the job to the person, rather than the person to the job.

RESOURCES

- Computer/Electronics Accommodations Program

CAP – ARMY ACCOMMODATIONS

507	INDIVIDUAL
19	GROUP
526	TOTAL (OUT OF 1026 D0D)

HEARING		133
VISION	132	
DEXTERITY	241	
COGNITIVE/OTHER		20
TOTAL		526

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PROGRAMS
WHAT'S NEW
RESOURCES
CAP Services
Accommodation Solutions
CAP Request Forms
CAPTEC
Real Solutions for Real Needs
Learn more about CAP services for:
Our Customers
People with Disabilities
Government Managers
Key Resources
Submit Request Form Now
Know what you need to request from CAP? Go straight to our CAP Request Form here.
3-Step Accommodation Process
Determine the right accommodation solution for you using our CAP process.
Latest Assistive Technology Products
Spotlight
TRICARE Conference
Learn more about how CAP can support the MHS on January 28th or at booth #2018 in the exhibit area.
Assistive Technology on NMCI
List of software and hardware approved for use on NMCI and process to request equipment from CAP
CSUN 2004
What's New
INTRODUCING the CAP Multi-media CD-ROM
Upcoming Events
HIMSS 2004
Learning Disabilities Association of America 41st Annual International Conference
ADA Symposium 2004
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JAN

Your comprehensive source for job accommodations

A free service of the Office of Disability Employment Policy
U.S. Department of Labor.

Contact | About | New | Media | Search | FAQs

Portals

- Private Employers
- Federal Government Employers
- State & Local Government Employers
- Individuals with Disabilities
- Educational Settings
- ADA Information

Resources

- Services
- En Español
- ADA Hotlinks

Job Accommodation Network
1-800-526-7234 (V/TTY)

Welcome to JAN, a free consulting service that provides information about job accommodations, the ADA, and the employability of people with disabilities.

Enter Table of Contents

Spotlight

- Small Business & Self-Employment Service
- Searchable Online Accommodation Resource
- Join JAN Users for Online Discussion
- JAN E-Newsletter

Done Internet

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MEETING SPECIAL NEEDS EMERGENCY PLANS

- **Provide safe working environment for all employees, including those employees with special needs.**
- **Develop Occupant Emergency Plan (OEP) for employees who may need assistance during an emergency with same level of protection as all other employees.**
- **Communicate information to employees with special needs.**
- **Be proactive in asking employees with special needs about the questions and concerns these people may have about emergency procedures.**

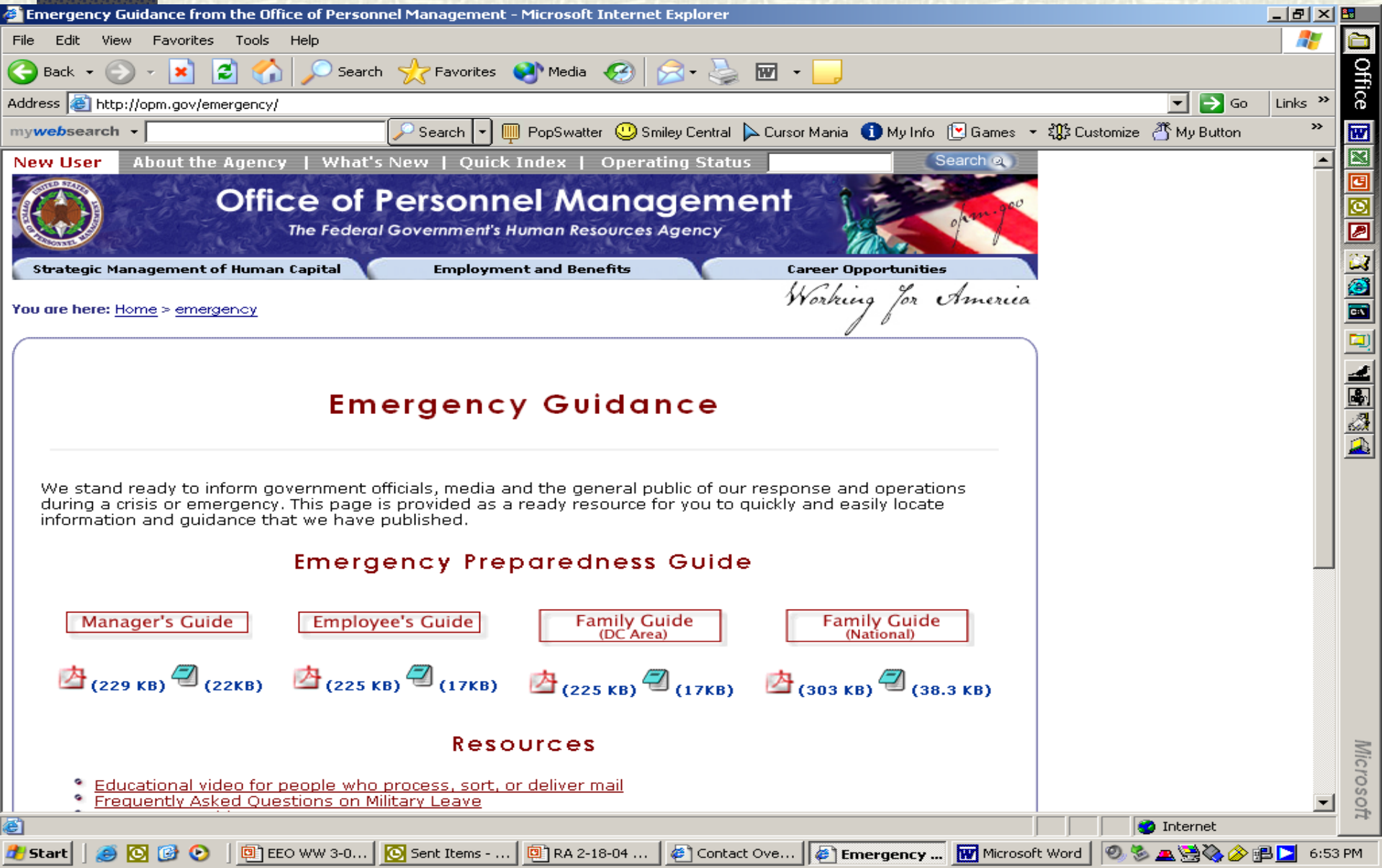
MEETING SPECIAL NEEDS EMERGENCY PLANS – BUDDY SYSTEM

- **One practical step every manager should take to protect individuals with disabilities is to establish a "buddy" system for disabled employees. The buddy system should be fully integrated into the agency OEP.**

- **Information on setting up a buddy system found at http://www.usfa.fema.gov/ downloads/pdf/publications/fa-154.pdf.**

- **For additional information on meeting the needs of disabled employees, contact the National Organization of the Disabled (www.nod.org).**

PREPAREDNESS
http://opm.gov/emergency
/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The Federal Government's Human Resources Agency
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Emergency Guidance
We stand ready to inform government officials, media and the general public of our response and operations during a crisis or emergency. This page is provided as a ready resource for you to quickly and easily locate information and guidance that we have published.
Emergency Preparedness Guide
Manager's Guide (229 KB) (22KB)
Employee's Guide (225 KB) (17KB)
Family Guide (DC Area) (225 KB) (17KB)
Family Guide (National) (303 KB) (38.3 KB)
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PEOPLE WITH DISABILITIES IN THE FEDERAL GOVERNMENT
AN EMPLOYMENT GUIDE
www.opm.gov

- **Laws, Executive Orders, and issues that affect the employment of people with disabilities in Fed Govt**
- **Roles and responsibilities of various organizations**
- **Glossary of terms**
- **Discussion of hiring issues and authorities**
- **Facts about reasonable accommodation**

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Office of Disability Employment Policy

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- Accommodating Employees with Hidden Disabilities
- Accommodations Get the Job Done
- Affirmative Action and People with Disabilities
- Alternative Dispute Resolution
- Americans with Disabilities Act, A Summary
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- Career Development for Persons With Disabilities
- Communicating With and About People with Disabilities
- Disability and Cultural Diversity
- Disability Data Resources
- Disability Friendly Strategies for the Workplace
- Dispelling Myths About People With Disabilities
- Diversity and Disabilities
- Employing People with Disabilities Q&A
- Employment Checklist for Hiring Persons with Disabilities - Practical Suggestions
- Employment Rights, Who Has Them and Who Enforces Them
- Essential Elements of an Effective Job Search
- Facilitating Return-to-Work For Ill or Injured Employees
- Facts About the Americans with Disabilities Act - Public Law 101-336
- Glossary of Commonly Used Terms
- Interviewing Tips for the Job Applicant
- JAN: Opening Doors to Job Accommodation
- Job Analysis, An Important Employment Tool
- Job Accommodations Come in Groups of One

Find It! in DOL

Frequently Asked Questions

What's New

New Freedom Initiative

About ODEP
- Mission
- Leadership
- Key Personnel

Programs & Initiatives
- Programs
- Grants

Business Focus

Technical Assistance Services

Publications

Job Links

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Erni Moya
Director, Individuals with Disabilities
HQDA, EEO & Civil Rights

Office 703 607-1977

Email: moyaer@hqda.army.mil

Many people have gone further than they thought they could, because someone else thought they could.
-- Anonymous

What lies behind us and what lies

before us are tiny matters compared to what lies within